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OGILVY RENAULT LLP 1981 MCGILL COLLEGE AVENUE SUITE 1600 MONTREAL, QC H3A2Y3 CANADA			EXAMINER NGUYEN, KHAI N	
			ART UNIT 2614	PAPER NUMBER
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Office Action Summary**

Application No.

10/806,135

Applicant(s)

WILLIAMS ET AL.

Examiner

Khai N. Nguyen

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 11 September, 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-38 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Amendment***

1. Applicant's amendment filed on September 11, 2007 has been entered. Claims 1, 12, 16-18, 21, 26, 32 and 36 have been amended. No claims have been canceled. No claims have been added. Claims 1-38 are still pending in this application, with claims 1, 17, and 26 being independent.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-12, 14-36, and 38 are rejected under 35 U.S.C. 102(b) as being anticipated by Parikh et al. (U.S. Patent Number 6,408,177 hereinafter "Parikh").

Regarding claims 1 and 26, Parikh teaches a method for providing an inbound call service and /or providing single number service to a public switched telephone network (PSTN) service subscriber (Fig. 3 – 134 PSTN, 106 Subscriber), the method comprising:

receiving a call initiation message at a call service node (CSN) (Fig. 2 – 100 Caller, 107 Subscriber, 110 Call Management System (CMS) “call service node (CSN)” – col. 3 lines 47-50, and Fig. 4 – Primary Steps Performed by The System);

extracting a called number from the call initiation message, and identifying the service subscriber associated with the called number (col. 3 lines 51-53, i.e., message includes subscriber’s phone number and caller’s phone number (CLID), and Fig. 4 - Step 143, col. 7 lines 37-43);

issuing an inbound call notification message over a messaging network (Fig. 2 – 111 Short Message Service Center) to at least one messaging device operated by the service subscriber (Fig. 2 – 106 Subscriber’s Telephone), the inbound call notification message providing information related to the inbound call and requesting that the service subscriber select a call treatment option for the inbound call (Fig. 2, col. 3 lines 51-58, i.e., display menu of options “call treatment options” available to the subscriber on the phone’s display, Fig. 4 – Step 144, col. 7 lines 44-48, and Fig. 7b Call Treatment Option menu, col. 9 lines 10-12);

routing the call from the CSN (Figs. 2-3 – 110 CMS) to a call parking facility associated with the service (col. 4 line 3, Fig. 3 – 126 Call Setup Application, col. 5 lines 38-39, i.e., sending the call to voicemail “call parking facility”, and Fig. 4 - Step 142 CMS “CSN” Places Caller on Hold, col. 7 lines 36-37, i.e., CMS places the call on hold);

receiving from the service subscriber a reply to the inbound call notification message indicating the call treatment option selected by the service subscriber in response to the inbound call notification message (Fig. 2, col. 3 lines 61-63, i.e.,

subscriber selects a menu option "call treatment", Fig. 4 – Step 145, col. 7 lines 49-50, and Fig. 7b Menu Options for "call treatment", col. 9 lines 10-13); and

controlling the call from the CSN (Figs. 2-3 – 110 CMS) in accordance with the call treatment option selected by the service subscriber in response to the inbound call notification message (Fig. 2, col. 3 lines 64-66, i.e., Call Management System "CSN" takes action depending on the option "call treatment" selected by the subscriber, Fig. 4 – Step 146, col. 7 lines 50-57, and Fig. 7b Menu Options for "call treatment", col. 9 lines 10-13).

Regarding claims 2 and 27, Parikh teaches the method wherein prior to receiving the call initiation message at the CSN (Fig. 3 – 110 CMS), the method further comprise steps of:

receiving a dialed number at a service switching point (Fig. 3 – 134 PSTN, col. 4 lines 58-59, i.e., (AIN) Advanced Intelligent Network) that serves a calling party that initiated the inbound call (Fig. 3, col. 4 lines 50-52, i.e., calls are directed from PSTN);

translating the dialed number and determining that the dialed number is a ported number (Fig.3 – 106 Subscriber's Mobile Handset, col. 4 lines 55-63, i.e., home location register (HLR) of wireless telephone network);

querying a service control point for routing instructions for completing the call to the dialed number (Fig. 3 – 124 Inbound Call Management Application, 126 Call Setup Application, col. 5 lines 12-21); and

formulating the call initiation message in response to receipt of the routing instructions from the service control point (Fig. 3 – 125 Short Message Service (SMS) Application, col. 5 lines 28-30).

Regarding claims 3 and 28, Parikh teaches the method wherein formulating the call initiation message comprises formulating an Initial Address Message containing a routing code for routing the Initial Address Message to the CSN (Fig. 3 – 126 Call Setup Application, col. 6 lines 62-67, i.e., ISDN call setup message received by the call management system “CSN” or SS7 protocols).

Regarding claims 4 and 29, Parikh teaches the method wherein identifying the service subscriber comprises:

extracting the called number from the call initiation message and using the called number in a query to retrieve a service subscriber profile that stores default information about how calls to the service subscriber are to be handled (Fig. 4 – Steps 142-144, col. 7 lines 36-47).

Regarding claims 5 and 30, Parikh teaches the method wherein issuing an inbound call notification message comprises:

examining the service subscriber profile to identify at least one messaging network address specified by the service subscriber (Fig. 3 – 124 Inbound Call Management Application, col. 5 lines 12-16); and

formulating and sending an inbound call notification message to each messaging network address specified in the service subscriber profile, a format of each inbound call notification message being determined by characteristics of the messaging network through which the inbound call notification message is sent, and each inbound call notification message containing a list of the directory numbers associated with the service subscriber (Fig. 4 – 125 SMS Application, col. 5 lines 28-35, and col. 7 lines 19-25).

Regarding claims 6 and 32, Parikh teaches the method wherein routing the call to a call parking facility comprises routing the call to an announcement player that requests that the caller wait while the call is being processed (Fig. 3 – 110 Call Management System, col. 4 lines 27-29, i.e., plays a message asking the caller to hold the call while the call is being processed).

Regarding claims 7 and 33, Parikh teaches the method wherein routing the call to a call parking facility comprises routing the call to a voice mail box (Fig. 3 – 126 Call Setup Application, col. 5 lines 38-39).

Regarding claim 8, Parikh teaches the method wherein the reply received from the service subscriber requests voice mail monitoring (Fig. 3 – 128 Voice Mail Application) and the method further comprises:

activating a trunk monitor connected to a trunk facility through which the call is routed (col. 6 lines 45-48, i.e., dedicated trunk line); converting monitored content into a format compatible with a one of the at least one client device from which the reply was received (Fig. 3 – 110 Call Management System, col. 4 lines 13-23); and

forwarding the converted monitored content to the client device from which the reply was received, to permit the service subscriber to listen to the voice mail message in real time (Figs. 2-3, col. 4 lines 4-6, i.e., eavesdrop on the voicemail "monitored", and potentially pick up the call "listen in real time").

Regarding claim 9, Parikh teaches the method wherein converting monitored content comprises converting pulse code modulated data to a streaming audio format (Fig. 3 – 135 Mass Storage for Voicemail, col. 4 lines 47-49. i.e., compressed audio data).

Regarding claims 10 and 34, Parikh teaches the method wherein routing the call to a call parking facility comprises:

extracting the called number from the call initiation message and using the called number in a query to retrieve a service subscriber profile (Fig. 3 – 124 Inbound Call Management, col. 5 lines 12-13);

extracting a calling party number from the call initiation message (Fig. 3 – 124, col. 5 lines 14-15, i.e., CLID of the caller "calling number");



searching the caller profile to determine whether the calling party number is associated with a specific voice mail box to which the call is to be routed (Fig. 3 – 128 Internal Voicemail Application, 136 External Voicemail System, col. 5 lines 12-27) ; and if the calling party number is associated with a specific voice mail box, routing the inbound call to the specific voice mail box, otherwise routing the call to one of an announcement player and a default voice mail box specified in the service subscriber profile (Fig.3 – Call Management, 126 Call Setup, 128 Internal Voicemail, and 136 External Voicemail, col. 5 lines 35-42).

Regarding claims 11 and 35, Parikh teaches the method wherein routing the call to the voice mail box comprises modifying the call initiation message by inserting an address of the voice mail box into a called number field of the call initiation message, and inserting a subscriber telephone number associated with the voice mail box in a redirecting number field of the call initiation message, if the subscriber telephone number associated with the voice mail box is different from the dialed telephone number in the original called number field of the call initiation message (Fig. 3 – 126 Call Setup Application, col. 6 lines 60-67, and col. 7 lines 1-9, i.e., redirecting number in the setup message is set equal to the number dialed by the caller, e.g., the subscriber's public (directory) telephone number).

Regarding claims 12 and 36, Parikh teaches the method wherein controlling the call from the CSN in accordance with the call treatment option selected by the service

subscriber in response to the inbound call notification message comprises releasing the call from the call parking facility and reconnecting the call to a telephone number specified in the reply, if the reply is received before a predetermined period of time lapses, and applying a default call treatment option specified in the service subscriber profile if the reply is not received before the predetermined period of time lapses (Fig. 4 – Step 145 Option Selected by Subscriber - Step 146 CMS "CSN" Handles Call According to Option Selected by Subscriber - Step 147 Default Call Handling, col. 7 lines 49-57, i.e., if the subscriber does not respond within a predetermined period of time, the CMS performs default call handling, if the subscriber selects an option within the predetermined period, the CMS handles the call accordingly).

Regarding claim 14, Parikh teaches the method wherein the default call treatment option is forwarding the call to a voice mail box (Fig. 4 – Step 147 Default Call Handling, col. 7 lines 52-53, i.e., transferring the call to voicemail).

Regarding claim 15, Parikh teaches the method wherein reconnecting the call to a telephone number specified in the reply comprises one of: reconnecting the call to a directory number specified in the service subscriber profile; reconnecting the call to a service-subscriber-selected one of a plurality of telephone numbers specified in the service subscriber profile; and, reconnecting the call to a telephone number supplied by the service subscriber in the reply to the inbound call notification message (Fig. 2 – 107 Subscriber, col. 3 lines 60-67, and col. 4 lines 1-2).

Regarding claims 16 and 38, Parikh teaches the method further comprising storing a number of a calling party that initiated the inbound call so that if the reply, to the inbound call notification is received after the calling party has terminated the inbound call, the CSN can use information in the reply and the stored number of the calling party to automatically establish a call between the service subscriber and the calling party (Fig. 2, Fig. 4 Menu Options – 8 Request Callback Number, col. 4 lines 30-37, col. 5 lines 1-10, i.e., calling party CLID).

Regarding claim 17, Parikh teaches a system for interactive real-time inbound call screening (Fig. 3 - 110 Call Management System CMS - 124 Inbound Call Management Application), comprising:

a call service node (CSN) (Fig. 3 – 110 CMS) connected to a common channel signaling network of a public switched telephone network (Fig. 3 – 134 PSTN), the CSN being associated with selected trunk resources (Fig. 3 – 133 VC System Voice Card) in a bearer network of the PSTN (Fig. 3, col. 50-52);

a call control application (CCA) (Fig. 3 – 124 Inbound Call Mgmt Application) for receiving a content of common channel signaling messages from the CSN (Fig. 3 -110 CMS), and directing the CSN to selectively formulate and issue common channel signaling messages to PSTN switches (Fig. 3 -134 PSTN) that support the trunk resources (Fig. 3 – 133 VC), the CCA being adapted to request formulation and transmission of at least one inbound call notification message to a service subscriber

upon receipt of a call initiation message addressed to a telephone number associated with the service subscriber, the at least one inbound call notification message providing information to the service subscriber about the inbound call and requesting selection of a call treatment option for handling the inbound call from the service subscriber in response to the inbound call notification message (Figs. 3-4, Fig. 7b Menu Options "call treatment option", col. 7 lines 15-57); and

at least one call parking facility (Fig. 3 – 128 Voice Mail Application, 135 Mass Storage for Voice Mail, 136 External Voicemail System) to which the CSN (Fig. 3 – 110 CMS) can route inbound calls to service subscribers, pending a receipt by the CCA (Fig. 3 – 124 Inbound Call Mgmt Application) of instructions in a reply to one of the at least one messaging network message, the reply providing information about how the respective calls are to be treated in accordance with a call treatment option selected by the service subscriber in response to the inbound call notification message (Figs. 2-4, Fig. 7b Menu Options "call treatment option", col. 3 lines 60-67, col. 4 lines 1-2, and col. 7 lines 15-57).

Regarding claim 18, Parikh teaches the system wherein the CCA (Fig. 3 – 124 Inbound Call Mgmt Application) is further adapted to:

receive the reply from the service subscriber; extract the information about how the call is to be treated (Fig. 4 – Step 145 Option Selected by Subscriber, col. 7 line 49, i.e., select an option or ignore the call); and

direct the CSN (Fig. 3 – 110 CMS) to release the call from the call parking facility (Fig. 4 – Step 142 CMS Places Caller on Hold), and direct the CSN to reconnect the call in accordance with the information about how the call is to be treated in accordance with the call treatment option selected by the service subscriber in response to the inbound call notification message (Fig. 4 – Steps 142-146 CMS handles Call According to Option Selected by Subscriber, Fig. 7b Menu Options, col. 7 lines 49-57).

Regarding claim 19, Parikh teaches the system further comprising a database for storing service subscriber profile records for specifying default call treatment for inbound telephone calls to each service subscriber (Fig. 3 – 121 – Memory - 123 File System, col. 4 lines 43-45).

Regarding claim 20, Parikh teaches the system wherein the call parking facility comprises a service subscriber's voice mail box (Fig. 3 – 121 Memory – 128 Voice mail Application - 131 User Mailboxes – 135 Mass Storage for Voice Mail – 136 External Voice Mail, col. 4 lines 45-49).

Regarding claim 21, Parikh teaches the system further comprising a trunk monitor (Fig. 3 – 133 VC) connected to at least one of the selected trunk resources in the PSTN (Fig. 3 – 134 PSTN), the trunk monitor being controllable to selectively sample voice data on the one of the selected trunk resources (Fig. 3, col. 5 lines 1-11).

Regarding claim 22, Parikh teaches the system further comprising a means for dynamically converting the voice data into a format compatible with a messaging device used to send a reply to the CCA (Fig. 3 – 124) in response to the inbound call notification message (Fig. 3 – 110 CMS - 111 Short Message Service Center – 137 Internet – 138 Communication Interface, col. 5 lines 43-52).

Regarding claim 23, Parikh teaches the system wherein the CCA (Fig. 3 - 124) is further adapted to route inbound calls to a plurality of dialed numbers associated with a given service subscriber to a single voice mail box associated with the service subscriber (Fig. 3 – 100 Caller - 110 CMS – 106 Subscriber's Mobile Phone, col. 3 lines 66-67, col. 4 lines 1-2, and col. 4 lines 50-67).

Regarding claim 24, Parikh teaches the system wherein the CCA (Fig. 3 - 124) is further adapted to route inbound calls to a single service subscriber number to a plurality of voice mail boxes, depending on a calling party number extracted from a call initiation message associated with the inbound call and information specified in a user profile record associated with the service subscriber (Fig. 3 -128 Voice Mail Application, col. 6 lines 39-41, i.e., provide the subscriber with various options such as multiple voicemail boxes).

Regarding claim 25, Parikh teaches the system wherein the CCA (Fig. 3 – 124) is adapted to formulate and transmit the inbound call notification message in any one of a

Short Message Service protocol (Fig. 3 – 125 Short Message Service Application), a Wireless Application Protocol, an Instant Message protocol, and a Partial Collision Detection protocol (Fig. 3 – col. 5 lines 28-30).

Regarding claim 31, Parikh teaches the method as claimed further comprising formulating the inbound call notification message to include an option to permit the service subscriber to specify a directory number that is different from the plurality of directory numbers in the service subscriber profile (Fig. 7b Menu Option – 5 Forward Call to Another Number, col. 5 lines 66-67, and col. 6 lines 1-5, forward to an unknown number keyed in by the subscriber).

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to

consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. Claims 13 and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Parikh in view of Bannister et al. (U.S. patent Number 5,668,862 hereinafter "Bannister").

Regarding claims 13 and 37, Parikh teaches the method wherein the default call treatment option and the service subscriber directory number is determined by a time of day and day of week (col. 9 lines 40-43, see also claims 12 and 36).

Parikh does not specifically disclose the time and day for call treatment option and the service subscriber directory number.

However, Bannister teaches a method for providing the subscriber to control the call management service, and more particularly, to a method for providing the service subscriber in handling incoming calls (Bannister – col.1 lines 10-13). The subscriber's profile (i.e., call treatment options and directory numbers) is used to route the call according where the subscriber is expected to be at that time and day (Bannister – col. 1 lines 27-32).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the feature of time and date to be used for



the subscriber call treatment options and directory number, as taught by Bannister, into the Parikh method in order to improve the method and enhance the service subscriber with more flexibility in handling incoming calls.

### ***Response to Arguments***

7. Applicant's arguments with respect to claims 1-38 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khai N. Nguyen whose telephone number is (571) 270-3141. The examiner can normally be reached on Monday - Thursday 6:30AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad F. Matar can be reached on (571) 272-7488. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

KNN

11/29/2007

  
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